RAJYA SABHA

Thursday, the 9th December, 2004/18 Agrahayana, 1926 (*Saka*)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

*121. [*The questioner* (SHRI VIJAY J. DARDA) *was absent for answer vide page* 36.]

Recommendation of TRAI on Open Sky Policy

*122. SHRI K. RAMA MOHANA RAO:††
SHRI RAMA MUNI REDDY SIRIGIREDDY:

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether any recommendations/suggestions have been made by TRAI on Open Sky Policy for DTH and VSAT Services;

(b) if so, the details of the recommendations/suggestions made by TRAI;

(c) whether it is a fact that the Department of Communications has rejected TRAI's recommendations; and

(d) if so, the reasons for rejecting the recommendations made by TRAI?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN) : (a) to (d) A statement is laid on the Table of the House:

Statement

(a) and (b) Telecom Regulatory Authority of India (TRAI) have submitted various recommendations to the Government on accelerating growth of Internet and Broadband in the country. These recommendations include an Open Sky Policy permitting use of any international satellite for Very

††The question was actually asked on the floor of the House by Shri K. Rama Mohana Rao.

Small Aperture Terminals (VSAT) and Direct-To-Home (DTH) service. The details of the recommendations on Open Sky Policy are given in the enclosed Statement. (*See* below).

(c) and (d) Permitting Open Sky Policy for VSAT&DTH services has wide implications involving strategic, security and policy issues among others. Some of the concerned Ministries/Departments have reservations on the recommendations of TRAI on Open Sky Policy for VSAT&DTH services. The role of Department of Space is critical in the formulation of final policy. Department of Telecommunications will further pursue with the concerned Ministries/Departments to evolve an acceptable position.

Statement

Trai Recommendations On Open Sky Policy

Recommendation No. 3.6.2.4:

An Open Sky policy should be adopted for VSAT operators, similar to what is available to ISP's and broadcasters. VSAT service providers should be allowed to work directly with any international satellite.

Recommendation No. 3.6.3.5:

An Open Sky policy should be adopted for DTH operators, similar to what is available to ISP's and broadcasters. DTH service providers should be allowed to work directly with any international satellite to ensure that a full extent of video and broadband services can be provided to a large subscriber base.

SHRI K. RAMA MOHANA RAO: Sir, the hon. Minister, in his reply, says, "Permitting Open Sky Policy for VSAT & DTH services has wide implications involving strategic, security and policy issues among others". Now, the main concern of the Government of India is security. We know that the INSAT system has got certain safeguards like traffic monitoring, inspection of equipment and other security-related safeguards. The same safeguards are provided in the foreign satellites. Will the Government of India consider the recommendations of TRAI? If not, let the Minister explain the reasons.

SHRI DAYANIDHI MARAN: Sir, permitting Open Sky Policy was recommended by TRAI. But the Department of Telecommunication, after consultations with the Departments of Space, have decided not to allow it now because of the issues raised by the Ministry of Home Affairs and also the Departments of Space, which concern, we feel, at this moment, is

right and fair. So, we are not allowing it now. The question 'if we allow it', does not arise.

SHRI K. RAMA MOHANA RAO: Sir, my second supplementary...

MR. CHAIRMAN: What is the point in your second supplementary now?

SHRI K. RAMA MOHANA RAO: Sir, the GoM has also recommended for VSAT and DTH. there. The DTH services have to take the advantage of the latest technology. At the same time, the hon. Minister has said that there are some Ministries/Departments which have reservations. Which are those Ministries/Departments that have reservations and what are the reservations that they have on VSAT & DTH?

SHRI DAYANIDHI MARAN: As far as DTH services are concerned, we are allowing downlinking and uplinking of broadband services. Because the recommendations of TRAI are for broadband alone. We are allowing uplinking for DTH services provided they get the necessary license. As far as DTH rules are concerned, the preference is for Indian satellites. The issue of security in DTH stands resolved.

श्री राम नाथ कोविन्द: सभापति जी, मैं आपके माध्यम से कहना चाहता हूं कि जो उत्तर दिया गया है, मुझे लगता है कि इस विषय पर तो मंत्री जी का उत्तर पर्याप्त है। लेकिन, सभापति जी, मैं मोबाइल सर्विसिज़ के बारे में, उसकी डायरेक्ट्री के बारे में जानना चाहूंगा। पिछले कई वर्षों से यह प्रश्न यहां पर उठाया भी गया है। डायरेक्ट्री के बारे में, जो पिछली सरकार थी, तब के मंत्री जी ने भी... The hon. Minister is not following Hindi. So, let me speak in English.

There are lakhs of consumers in the country who are using mobile services. Has the Home Ministry got any proposal to print a directory of mobile users as is done by the...

MR. CHAIRMAN: Hon. Member, this is out of scope of the Question.

SHRI RAM NATH KOVIND: Sir, this is part of the Open Sky Policy.

MR. CHAIRMAN: No, no. Shrimati Sarla Maheshwari.

श्रीमती सरला माहेश्वरी: सभापति जी, धन्यवाद।

सभापति जी, डी॰ टी॰ एच॰ के मसले का जहां तक सवाल है, मैं माननीय मंत्री जी से यह कहना चाहूंगी कि इस मसले पर शुरू से लेकर अब तक इनके मंत्रीमंडल में एक अजीब तरह का ऊहापोह चलता रहा है, आज तक उसके बारे में सही ढंग से कोई निर्णय नहीं लिया गया है।

श्री सभापति: आप क्वेश्चन करिए।

श्रीमती सरला माहेश्वरी: इसलिए, सभापति जी, मेरा सवाल यह है कि डी॰ टी॰ एच॰ के बारे में ऐडहॉक तरीके से क्यों काम किया जा रहा है? डिफरेंट-डिफरेंट चैनल्स काम कर रहे हैं, उनको रेगुलेट करने के लिए क्या आप किसी रेगुलेट्री फ्रेम वर्क पर काम कर रहे हैं? Without working on any regulatory framwork, you are giving permission to them. What is the reason for that?

SHRI DAYANIDHI MARAN: Sir, frankly speaking, I have not understood the question. Here, the question is related to TRAI recommendations, which are only broad band specific. As far as other aspects are concerned, my Ministry is not answerable for it. I can answer any question relating to broad band. *(Interruptions)*

MR. CHAIRMAN: Shri Ashwani Kumar.

SHRIMATI SARLA MAHESHWARI: Please tell us about the DTH. *(Interruptions)*

SHRI DAYANIDHI MARAN: Sir, I can answer it. *(Interruptions)*

SHRI ASHWANI KUMAR: Sir, I have been noticing that every time that a policy is to be stalled, or, its further progress has to be stalled, the argument is advanced in the name of security. The only question that I want to put to the hon. Minister, and would be grateful for an answer is, what are the security considerations, or, to what extent the security considerations are different in ISP and in V-SAT, except that, in V-SAT, there is a multi-point connectivity and in the ISP, there is a single point connectivity? But, there are technologies in India that are available to address the concerns of security, without stalling the further sequential steps in the telecom revolution. Will the hon. Minister kindly say what are the 'so much of critical security' aspects that we cannot address?

SHRI DAYANIDHI MARAN: Sir, the security concerns were raised by the Department of Space and Science and by the Ministry of Home. We have, in fact, sent all the recommendations made by the TRAI to the Ministry of Home and to the Department of Space and Science. There are some issues. Moreover, Sir, there is not so much of demand in the country

that we are struggling for satellite space. In fact, INSAT has got enough spare capacity. I and we feel that we should utilise whatever is indigenous capacity. After we complete it, then, we can go to the other possibilities.

SHRI ASHWANI KUMAR: That is not a security concern. That would have been the right answer.

Accountability of civil servants to Parliament

*123. SHRI R. K. ANAND: Will the PRIME MINISTER be pleased to state:

(a) whether there is any proposal to make a comprehensive law on civil servants to make them accountable directly to the Parliament;

(b) if so, the details thereof; and

(c) by when will this law be enacted?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI SURESH PACHOURI): (A) No, Sir.

(b) and (c) Do not arise.

SHRI R.K. ANAND: Mr. Chairman, Sir, these days the civil servants are not accountable to anyone. They have been becoming subservient to the political masters.

MR. CHAIRMAN: When the Minister is saying 'question does not arise', then, why are you putting the supplementary?

SHRI R.K. ANAND: Sir, please give me one minute. We have seen that public money worth hundreds of crores of rupees is being wasted by the civil servants just to please their bosses. I would like to know from the Minister as to how they are going to make them accountable to the public.

SHRI SURESH PACHOURI: Mr. Chairman, Sir, as per Article 310 of our Constitution, every civil servant is accountable to the Minister. But, at the same time, as per clause (iii) of article 75 of our Constitution, the Ministers